Civil Misc. App. No.80/1995
Smt. Mewa Devi ***Versus*** Parevesh Kumar & Anr.

Date of Order ::: 21/07/06

Hon'ble Mr. Justice Ajay Rastogi

None present for appellant (Claimant)

Instant appeal has been filed for enhancement of compensation of Rs.35,000/- awarded by Motor Accident Claims Tribunal, Jaipur City vide Award dt.20/09/94 in MAC No.681/92.

Claimant Mewa Devi aged 50 years sustained injuries in a motor accident on 11/01/03 while she alongwith her husband goining on scooter No.RJ-14-3M 4768, was dashed by matador (Mini bus) No.RNP 2258 due to rash and negligent driving. In the said accident, appellant sustained grievous injuries and remained hospitalized in SMS Hospital for four days. Medical Board opined 25% as permanent disability to her as is evident from Ex.1.

As alleged in claim petition, injured appellant was having her independent monthly income of Rs.1,000/- from work of knitting and weaving and due to accident, she has to engage maid servant for Rs.400/- per month. Except oral statement of claimant, to substantiate about monthly income, no material was placed on record, hence after taking note of totality of facts made available, learned Tribunal keeping in view 25% permanent disability as opined in medical certificate (Ex.1) and one grievous injury as assigned vide X-ray report (Ex.6), in all awarded lump sum compensation of Rs.35,000/-. I have gone through Award impugned. What has been awarded by Tribunal under all heads, in my opinion, being just

and requires no interference by this Court.

Consequently, this appeal fails and is hereby dismissed. Record be sent back to concerned Tribunal.

(Ajay Rastogi), J.

K.Khatri/80CMA1995.